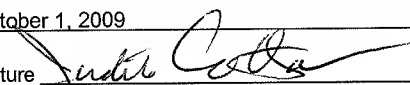


NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 027232-000910US							
I hereby certify that this correspondence is being filed via EFS-Web with the United States Patent and Trademark Office on <u>October 1, 2009</u> Signature <u></u> Typed or printed name <u>Judith Cotham</u>		In re Application of <u>James M. Coull et al.</u> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Application Number 09/996,658</td> <td style="width: 50%; padding: 2px;">Filed <u>November 29, 2001</u></td> </tr> <tr> <td colspan="2" style="padding: 2px;">For METHODS AND COMPOSITIONS FOR SORTING AND/OR DETERMINING ORGANISMS</td> </tr> <tr> <td style="padding: 2px;">Art Unit <u>1634</u></td> <td style="padding: 2px;">Examiner <u>Bradley L. Sisson</u></td> </tr> </table>		Application Number 09/996,658	Filed <u>November 29, 2001</u>	For METHODS AND COMPOSITIONS FOR SORTING AND/OR DETERMINING ORGANISMS		Art Unit <u>1634</u>	Examiner <u>Bradley L. Sisson</u>
Application Number 09/996,658	Filed <u>November 29, 2001</u>								
For METHODS AND COMPOSITIONS FOR SORTING AND/OR DETERMINING ORGANISMS									
Art Unit <u>1634</u>	Examiner <u>Bradley L. Sisson</u>								

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-1430.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

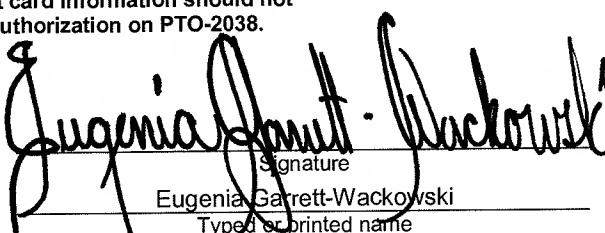
I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 37,330

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____



Signature
Eugenia Garrett-Wackowski

Typed or printed name

925 472 5000
Telephone number

October 1, 2009
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.